IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 36254 of 2004(N)

CMA.37,38,39/2004 of DISTRICT COURT, PALAKKAD
OS.151/2004 of PRL.MUNSIFF COURT, PALAKKAD

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PETITIONERS:

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1. **K.RAMAKRISHNAN,**
   S/O. LATE N.L.PARASURAMA IYER, RETIRED T.S.O.,
   21/442, SREE PADMAM, STREET NO.5, VENNAKKARA,
   NOORNI (P.O), PALAKKAD TALUK.

2. **K.VALSALAKUMARI, W/O. K.RAJAGOPAL,**
   21/441, KUNNATH HOUSE, STREET NO.5, VENNAKKARA,
   NOORNI (P.O), PALAKKAD TALUK.

BY ADV. SRI.R.RAJESH KORMATH
SMT.PREETHY KARUNAKARAN
SMT.SANJANA R.NAIR
SRI.JAYKAR.K.S.
SRI.RAHUL VARMA
SRI.V.S.ROBIN

RESPONDENTS:

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1. **M.RAJAN, S/O. LATE MUTHU,**
   PALLIKKANDATH HOUSE, VENNAKKARA, NOORNI (P.O),
   PIRAYIRI AMSOM, PALAKKAD TALUK.

2. **THE SECRETARY,**
   PALAKKAD MUNICIPALITY, PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN for R1
SRI.V.CHITAMBARESH for R2
SRI.T.C.SURESH MENON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.36254/2004 N

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE REPORT DTD. 16/02/2004 FILED BY THE ADVOCATE COMMISSIONER IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P2; COPY OF THE I.A.NO.593 OF 2004 DTD. 13/02/2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P3: COPY OF THE I.A.NO.594 OF 2004 DTD. 13/02/2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P4: COY OF THE I.A.NO.833 OF 2004 DTD. 8/03/2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P5; COPY OF THE COUNTER STATEMENT DTD. NIL FILED BY THE FIRST RESPONDENT TO I.A.593 OF 2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P6; COPY OF THE COUNTER STATEMENT DTD.NIL FILED BY THE FIRST RESPONDENT TO I.A.833 OF 2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P7: COPY OF THE COUNTER STATEMENT DTD. NIL FILED BY THE SECOND RESPONDENT TO I.A.NO.833 OF 2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P8: COPY OF THE COMMON ORDER DTD. 18/03/2004 IN I.A.NOS.593 OF 2004, 594 OF 2004 AND 833 OF 2004 IN O.S.NO.151 OF 2004 ON THE FILE OF THE COURT OF THE MUNSIFF'S COURT, PALAKKAD.

EXT.P9: COPY OF THE COMMON JUDGMENT DTD. 18/11/2004 IN C.M.A. NOS. 38 OF 2004, 39 OF 2004 AND 40 OF 2004 ON THE FILE OF THE COURT OF DISTRICT JUDGE, PALAKKAD.

1ST RESPONDENT'S EXHIBITS:

EXT.R1(A): COPY OF I.A.2271/04 IN I.A.594/04 IN O.S.151/04 OF THE COURT OF THE MUNSIFF'S,PALAKKAD.

EXT.R1(B): COPY OF THE COUNTER STATEMENT FILED BY THE PETITIONER IN I.A.2271/04.

/TRUE COPY/

P.A.TO JUDGE

KSS

KURIAN JOSEPH J.

W.P.(C) No.36254 of 2004

Dated 20th July, 2007.

J U D G M E N T

Petitioners are aggrieved by Ext.P9 order passed by the District Court, Palakkad in C.M.A.Nos.37 to 39 of 2004. Those appeals were filed against the common interlocutory orders passed by the Munsiff Court, Palakkad as per Ext.P8. There is an interim order ever since 17.12.2004. It is submitted that O.S.151/04 is still pending before the Munsiff Court, Palakkad. Therefore, it is only in the interests of justice and also in the interests of the parties that the suit itself is disposed of expeditiously. The writ petition is hence disposed of directing the Munsiff Court, Palakkad to dispose of O.S.151/04 within a period of six months from the date of receipt of a copy of this judgment. The interim order passed by this Court will continue till such time.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 20th July, 2007.